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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/066,036	01/31/2002	Kaihu Chen	063170.7005	3956

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BAKER BOTTS L.L.P.
2001 ROSS AVENUE
SUITE 600
DALLAS, TX 75201-2980

EXAMINER

PILLAI, NAMITHA

ART UNIT	PAPER NUMBER
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2173

NOTIFICATION DATE	DELIVERY MODE
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08/05/2008

ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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Office Action Summary	Application No.	Applicant(s)	
	10/066,036	CHEN ET AL.	
	Examiner	Art Unit	
	NAMITHA PILLAI	2173	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 02 April 2008.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-16 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-16 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date <u>4/29/08</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Amendment

1. The Examiner acknowledges the BPAI Decision mailed on 4/2/08. In view of the decision, prosecution has been re-opened. Claims 1-16 have been rejected in view of the prior art disclosed below.
2. In view of the BPAI Decision mailed on 4/2/08, PROSECUTION IS HEREBY REOPENED. A rejection of claims 1-16 is set forth below.

To avoid abandonment of the application, appellant must exercise one of the following two options:

- (1) file a reply under 37 CFR 1.111 (if this Office action is non-final) or a reply under 37 CFR 1.113 (if this Office action is final); or,
- (2) initiate a new appeal by filing a notice of appeal under 37 CFR 41.31 followed by an appeal brief under 37 CFR 41.37. A Director of the Technology Center has approved of reopening prosecution by signing below:

/Donald Sparks/

Acting Director of TC 2100

Information Disclosure Statement

3. The information disclosure statement filed 4/29/08 fails to comply with the provisions of 37 CFR 1.97, 1.98 and MPEP § 609 because as per the rules of 37 CFR 1.97(d) the statement specified in paragraph (e) and the proper fee has not been submitted. It has been placed in the application file, but the information referred to

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therein has not been considered as to the merits. Applicant is advised that the date of any re-submission of any item of information contained in this information disclosure statement or the submission of any missing element(s) will be the date of submission for purposes of determining compliance with the requirements based on the time of filing the statement, including all certification requirements for statements under 37 CFR 1.97(e). See MPEP § 609.05(a).

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1-16 are rejected under 35 U.S.C. 102(b) as being clearly anticipated by "Converting PC GUIs for NonPC Devices" (Dan Johnson), herein referred to as Johnson. This reference was submitted in the information disclosure statement by the Applicant on 4/29/08.

Referring to claim 1, Johnson discloses a method for dynamically constructing a web page (page 40, column 3, lines 4-7). Johnson discloses receiving a uniform resource locator identifying a web page, the web page referencing a plurality of elements (page 40, column 3, lines 9-11). Web pages are dynamically constructed based on the display device and the user of the client device. The web page contains elements that are displayed within each page. The cited section discloses that "On requesting a URL", where upon this request from a user, a uniform resource location

identifying a web page is accessed. Each web page references a plurality of elements for example, images and html content that are displayed in one web page represent a plurality of elements. See page 41, column 1, lines 1-5 ("Images as well as HTML content are converted"). Johnson discloses receiving a user identifier representing a user (page 40, column 3, lines 11-13, "the device identifies itself and the user to Spyglass Prism"). Johnson discloses evaluating each of the plurality of elements based on the user identifier to identify a subset of at least one element the user is authorized to access (page 41, column 3, lines 23-29, "Identifying the user", "permits personalized content services to be delivered to the user"). The SurfWatch content filtering evaluates the plurality of elements to be displayed to identify at least one element that the user is authorized to view. The user identification is compared with the web page elements to determine the elements that the user is authorized to view. Johnson discloses determining a data conversion specification associated with the user (page 42, column 1, lines 17-31). "The user database maintains conversion and filtering preferences for each user", where these conversion preferences serve as the data conversion specification associated with the user. Johnson discloses determining a data representation specification associated with the user and converting and presenting each of the subset of elements. See page 42, column 1, lines 17-31. Data conversion of how a data is to be displayed to a specific user is determined. This data is converted and displayed to the user in a distinct format of the web page.

Referring to claim 2, Johnson discloses determining a role based on the user identifier, and wherein evaluating each of the plurality of elements is performed based

on the role of the user (page 41, column 3, lines 23-29, "Identifying the user"), where based on the role of the identified user, authorized data is displayed or not displayed to the user.

Referring to claim 3, Johnson discloses determining an affiliation based on the user identifier, and wherein evaluating each of the plurality of elements is performed based on the affiliation of the user (page 41, column 3, lines 23-29). The "Identifying the user" involves the affiliation of the user for example, an age group that the user is affiliated with which determines elements that must be blocked from the user.

Referring to claim 4, Johnson discloses that the data presentation specification includes branding data presented based on the affiliation of the user (page 42, column 1, lines 17-31). "The device database offers information about each type of device such as display resolution" and "These databases determine how to convert the Web content", where based on the user and the device type affiliated with the user, specific branding data associated with a specific type of device is included in the data presentation specification.

Referring to claim 5, Johnson discloses defining environmental variables and enabling concurrent access among users to the data conversion specification and the data representation specification (page 41, column 3, lines 23-32, "Identifying the user and the type of device"), where the type of device serves as an environmental variable and the client/server system allows multiple users to access the data conversion specification and data representation specification data.

Referring to claim 6, Johnson discloses a system for dynamically constructing a web page (page 40, column 3, lines 4-7). Johnson discloses a processor, a memory connected to the processor for storing processor executable instructions to control the operation of the processor (page 40, column 1, lines 1-5). The device through which the user views the web pages includes processor, memory and instructions which store and implement the functionality. The processor executable instructions including instructions for carrying out the method claimed below. Johnson discloses receiving a uniform resource locator identifying a web page (page 40, column 3, lines 9-11). Johnson discloses the web page referencing a plurality of elements (page 40, column 3, lines 9-11). Web pages are dynamically constructed based on the display device and the user of the client device. The web page contains elements that are displayed within each page. The cited section discloses that "On requesting a URL", where upon this request from a user, a uniform resource location identifying a web page is accessed. Each web page references a plurality of elements for example, images and html content that are displayed in one web page represent a plurality of elements. See page 41, column 1, lines 1-5 ("Images as well as HTML content are converted"). Johnson discloses receiving a user identifier representing a user (page 40, column 3, lines 11-13, "the device identifies itself and the user to Spyglass Prism"). Johnson discloses evaluating each of the plurality of elements based on the user identifier to identify a subset of at least one element the user is authorized to access (page 41, column 3, lines 23-29, "Identifying the user", "permits personalized content services to be delivered to the user"). The SurfWatch content filtering evaluates the plurality of

elements to be displayed to identify at least one element that the user is authorized to view. The user identification is compared with the web page elements to determine the elements that the user is authorized to view. Johnson discloses determining a data conversion specification associated with the user (page 42, column 1, lines 17-31).

"The user database maintains conversion and filtering preferences for each user", where these conversion preferences serve as the data conversion specification associated with the user. Johnson discloses determining a data representation specification associated with the user. Johnson discloses converting and presenting each of the subset of elements. See page 42, column 1, lines 17-31. Data conversion of how a data is to be displayed to a specific user is determined. This data is converted and displayed to the user in a distinct format of the web page.

Referring to claim 7, Johnson discloses further including instructions to determine a role based on the user identifier, and wherein the instructions to evaluate each of the plurality of elements includes instructions to evaluate the role of the user (page 41, column 3, lines 23-29, "Identifying the user"), where based on the role of the identified user, authorized data is displayed or not displayed to the user.

Referring to claim 8, Johnson discloses further including instructions to determine an affiliation based on the user identifier, and wherein the instructions to evaluate each of the plurality of elements includes instructions to evaluate the affiliation of the user (page 41, column 3, lines 23-29). The "Identifying the user" involves the affiliation of the user for example, an age group that the user is affiliated with which determines elements that must be blocked from the user.

Referring to claim 9, Johnson discloses further including instructions to present branding data presented based on the affiliation of the user (page 42, column 1, lines 17-31), where the specified data associated with the user is branding data. "The device database offers information about each type of device such as display resolution" and "These databases determine how to convert the Web content", where based on the user and the device type affiliated with the user, specific branding data associated with a specific type of device is included in the data presentation specification.

Referring to claim 10, Johnson discloses further including instructions to define environmental variables and enable concurrent access among users to the data conversion specification and the data representation specification (page 41, column 3, lines 23-32, "Identifying the user and the type of device"), where the type of device serves as an environmental variable and the client/server system allows multiple users to access the data conversion specification and data representation specification data.

Referring to claim 11, Johnson discloses an apparatus for dynamically constructing a web page (page 40, column 3, lines 4-7). Johnson discloses means for receiving a uniform resource locator identifying a web page, the web page referencing a plurality of elements (page 40, column 3, lines 9-11). Web pages are dynamically constructed based on the display device and the user of the client device. The web page contains elements that are displayed within each page. The cited section discloses that "On requesting a URL", where upon this request from a user, a uniform resource location identifying a web page is accessed. Each web page references a plurality of elements for example, images and html content that are displayed in one

web page represent a plurality of elements. See page 41, column 1, lines 1-5 ("Images as well as HTML content are converted"). Johnson discloses means for receiving a user identifier representing a user (page 40, column 3, lines 11-13, "the device identifies itself and the user to Spyglass Prism"). Johnson discloses means for evaluating each of the plurality of elements based on the user identifier to identify a subset of at least one element the user is authorized to access (page 41, column 3, lines 23-29, "Identifying the user", "permits personalized content services to be delivered to the user"). The SurfWatch content filtering evaluates the plurality of elements to be displayed to identify at least one element that the user is authorized to view. The user identification is compared with the web page elements to determine the elements that the user is authorized to view. Johnson discloses means for determining a data conversion specification associated with the user (page 42, column 1, lines 17-31). "The user database maintains conversion and filtering preferences for each user", where these conversion preferences serve as the data conversion specification associated with the user. Johnson discloses means for determining a data representation specification associated with the user and means for converting and presenting each of the subset of elements. See page 42, column 1, lines 17-31. Data conversion of how a data is to be displayed to a specific user is determined. This data is converted and displayed to the user in a distinct format of the web page.

Referring to claim 12, Johnson discloses further including means for determining a role based on the user identifier, and wherein the means for evaluating operates based on the role of the user (page 41, column 3, lines 23-29, "Identifying the user"),

where based on the role of the identified user, authorized data is displayed or not displayed to the user.

Referring to claim 13, Johnson discloses further including means for determining an affiliation based on the user identifier, and wherein the means for evaluating operates based on the affiliation of the user (page 41, column 3, lines 23-29). The "Identifying the user" involves the affiliation of the user for example, an age group that the user is affiliated with which determines elements that must be blocked from the user.

Referring to claim 14, Johnson discloses further including means for presenting branding data based on the affiliation of the user (page 42, column 1, lines 17-31), where the specified data associated with the user is branding data. "The device database offers information about each type of device such as display resolution" and "These databases determine how to convert the Web content", where based on the user and the device type affiliated with the user, specific branding data associated with a specific type of device is included in the data presentation specification.

Referring to claim 15, Johnson discloses further including means for enabling concurrent access among users to the data conversion specification and the data representation specification (page 41, column 3, lines 23-32), where the client/server system allows multiple users to access the data conversion specification and data representation specification data.

Referring to claim 16, Johnson discloses a computer-readable storage medium encoded with processing instructions for dynamically constructing a web page (page 40,

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column 3, lines 4-7 and column 1, lines 1-5). Johnson discloses computer readable instructions which carry out the functionality claimed below. The devices which carry out the functionality contain computer readable storage medium with processing instructions that implement the method claimed below. Johnson discloses receiving a uniform resource locator identifying a web page, the web page referencing a plurality of elements (page 40, column 3, lines 9-11). Web pages are dynamically constructed based on the display device and the user of the client device. The web page contains elements that are displayed within each page. The cited section discloses that "On requesting a URL", where upon this request from a user, a uniform resource location identifying a web page is accessed. Each web page references a plurality of elements for example, images and html content that are displayed in one web page represent a plurality of elements. See page 41, column 1, lines 1-5 ("Images as well as HTML content are converted"). Johnson discloses receiving a user identifier representing a user (page 40, column 3, lines 11-13, "the device identifies itself and the user to Spyglass Prism"). Johnson discloses evaluating each of the plurality of elements based on the user identifier to identify a subset of at least one element the user is authorized to access (page 41, column 3, lines 23-29, "Identifying the user", "permits personalized content services to be delivered to the user"). The SurfWatch content filtering evaluates the plurality of elements to be displayed to identify at least one element that the user is authorized to view. The user identification is compared with the web page elements to determine the elements that the user is authorized to view. Johnson discloses determining a data conversion specification associated with the user (page 42, column

1, lines 17-31). "The user database maintains conversion and filtering preferences for each user", where these conversion preferences serve as the data conversion specification associated with the user. Johnson discloses determining a data representation specification associated with the user. Johnson discloses converting and presenting each of the subset of elements. See page 42, column 1, lines 17-31. Data conversion of how a data is to be displayed to a specific user is determined. This data is converted and displayed to the user in a distinct format of the web page.

Conclusion

5. Responses to this action should be submitted as per the options cited below: The United States Patent and Trademark Office requires most patent related correspondence to be: a) faxed to the Central Fax number (571-273-8300) b) hand carried or delivered to the Customer Service Window (located at the Randolph Building, 401 Dulany Street, Alexandria, VA 22314), c) mailed to the mailing address set forth in 37 CFR 1.1 (e.g., P.O. Box 1450, Alexandria, VA 22313-1450), or d) transmitted to the Office using the Office's Electronic Filing System.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Namitha Pillai whose telephone number is (571) 272-4054. The examiner can normally be reached from 8:30 AM - 5:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Doon Chow can be reached on (571) 272-7767.

All Internet e-mail communications will be made of record in the application file. PTO employees do not engage in Internet communications where there exists a

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possibility that sensitive information could be identified or exchanged unless the record includes a properly signed express waiver of the confidentiality requirements of 35 U.S.C. 122. This is more clearly set forth in the Interim Internet Usage Policy published in the Official Gazette of the Patent and Trademark on February 25, 1997 at 1195 OG 89.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (571) 272-2100.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Namitha Pillai
Patent Examiner
Art Unit 2173
July 30, 2008

/Donald Sparks/

Acting Director of TC 2100